

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KERRY ASHDOWN,

Plaintiff,

-against-

EQUINOX, a/k/a  
EQUINOX FITNESS CLUB *and incorporated as*  
EQUINOX HOLDINGS, INC.,  
MAURO MAIETTA,  
LAWRENCE SANDERS, and  
MATT PLOTKIN a/k/a MATTHEW PLOTKIN,

Defendants.  
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Index No. 13 CV 1374  
(HB)(GWG)

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the Declaration of Lawrence S. Rosen dated October 25, 2013, with Exhibits, the Memorandum of Law, the Rule 56.1 Statement of Undisputed Facts and the prior pleadings and proceedings had herein, defendants Equinox Holdings, Inc. d/b/a Equinox Fitness Club ("Equinox"), Mauro Maietta, Lawrence Sanders, and Matthew Plotkin will move this Court, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, before the Honorable Harold Baer, Jr. for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure, dismissing each and every claim for relief asserted against defendants by plaintiff Kerry Ashdown, and granting such other and further relief as the Court deems just and proper.

Dated: October 25, 2013  
New York, New York

LAROCCA HORNIK ROSEN  
GREENBERG & BLAHA LLP

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